



# TOWN OF AMENIA

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## TOWN OF AMENIA PLANNING BOARD

Resolution # 22 for 2019

### Resolution Approving Amended Site Plan for R & R Concrete Services, LLC

**WHEREAS**, R & R Concrete Services, LLC (the "Applicant") is the owner of 1.74 acres of land located at 4177 Route 22 in Amenia, New York (the "Property") which is situated in the Town's Highway Commercial (HC) Zoning District and Aquifer Overlay District; and

**WHEREAS**, pursuant to Sections 121-62(C) and 121-67(C) of the Town of Amenia Zoning Code (the "Zoning Code"), on or around April 5, 2018, the Applicant submitted an application to the Planning Board seeking a special use permit and site plan approval to allow for a small concrete batch plant to be located inside an existing commercial building at the Property with related improvements (the "Project"); and

**WHEREAS**, on June 14, 2018, the Planning Board granted the Applicant the Special Use Permit and Site Plan Approval for the Project by resolution No. 8 of 2018; and

**WHEREAS**, subsequently the Applicant constructed the Project and now seeks amended site plan approval for various unapproved minor changes that were made during construction, including expansion of the site further south, increased site disturbance by approximately 0.3 acres, five total aggregate storage bins whereas three were approved, and removal of the subsurface disposal system (given the seasonal use of the business and no public access, a porta john will be provided for employees); and

**WHEREAS**, on or around September 18, 2019, the Applicant submitted an application for amended Site Plan Approval; and

**WHEREAS**, the documents submitted by the Applicant as part of its application consisted of, among other things, (1) a Land Use Application; (2) site plan prepared by Rennia Engineering Design, PLLC; (3) an Environmental Assessment Form (the "EAF"); (4) an Agricultural Data Statement; (5) the requisite filing fee and escrow amount for the application; and (6) a variety of additional documentation (the "Application"); and

**WHEREAS**, the Planning Board reviewed and considered all of the documents submitted by the Applicant as part of its Application; and

Amenia Town Clerk

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**WHEREAS**, the Planning Board had determined that the Project qualifies as a minor project under Section 121-60(C) of the Town Zoning Code because it involves the conversion of an existing structure totaling 5,000 sq. ft. to another use. Given the minor scope of the changes, the Project remains a minor project; and

**WHEREAS**, the Planning Board deemed the Application to be complete and referred it to the Dutchess County Department of Planning and Development ("County Planning Department") for its review and recommendation as required by Section 239-m of the NYS General Municipal Law; and

**WHEREAS**, the County Planning Department has reviewed the Project for countywide and inter-municipal impacts and issued a report dated October 23, 2019 stating that the Project was a matter of "local concern"; and

**WHEREAS**, a full environmental review under the State Environmental Quality Review Act ("SEQRA") was conducted for the Project as part of the original Planning Board approvals. Given the minor changes proposed, the Planning Board has determined that the Project is consistent with the Board's prior SEQRA review and will not result in any significant adverse environmental impacts; and

**WHEREAS**, in accordance with Section 121-67(D) of the Zoning Code, the Planning Board waived a public hearing for this minor site plan amendment; and

**WHEREAS**, the Planning Board has determined that the Project will comply with the applicable Site Plan criteria in Section 121-65(D) of the Zoning Code; and

**WHEREAS**, the Planning Board's determinations outlined above are based on the Applicant's representations contained in all of the Application materials submitted to the Planning Board and the Applicant's compliance with the Town of Amenia Code including the Zoning Code.

**NOW, THEREFORE, BE IT RESOLVED**, in accordance with Section 121-68(D)(1) of the Town's Zoning Code, the Planning Board finds that the proposed amendment is consistent with the terms of the Special Use Permit Approval and hereby approves the amended site plan for the Project, prepared by Rennia Engineering Design, PLLC and dated September 18, 2019 (last revised December 4, 2019)(the "Amended Site Plan") subject to the following conditions:

- 1) The Applicant shall submit a copy of the approved plans for the subsurface sewage disposal system from the Dutchess County Department of Behavioral and Community Health (DCDOH) and add a note to the Amended Site Plan that the system will be installed in accordance with such plans.



Matt Deister

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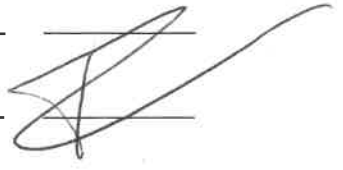
Erich McEnroe

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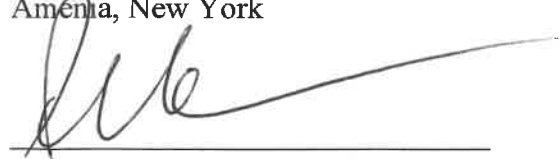
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Dated: December 11, 2019

Amenia, New York



~~Robert Boyles Jr.~~, Chairman

Town of Amenias Planning Board

